

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM FARMER,

Plaintiff,

Case No. 2:18-cv-143

**CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Elizabeth Preston Deavers**

v.

**E.I. DUPONT DE NEMOURS
& COMPANY,**

Defendant.

OPINION AND ORDER

This matter is before the Court on Plaintiff's Motion to Dismiss Without Prejudice (ECF No. 4), Defendant's Memorandum in Opposition (ECF No. 7), Plaintiff's Reply (ECF No. 9), Defendant's Motion for Leave to File Surreply (ECF No. 10), and Plaintiff's Memorandum in Opposition (ECF No. 11.) The Court hereby **GRANTS** both motions. (ECF Nos. 4, 10). As to the dismissal motion, the Court conditions any re-filing of this case upon a payment to Defendant of any costs it unnecessarily incurred, other than attorney fees, as a result of this dismissal.

IT IS SO ORDERED.

3-10-2019
DATE


**EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE**